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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

HARPER, LEON JONATHAN

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 08/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/629,479	Applicant(s) BRIN ET AL.	
	Examiner Leon J. Harper	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9,14-20,22-24,28-34 and 37-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9,14-20,22-24,28-34 and 37-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed 6/19/2006 has been entered. Claims 1,18,23,24,28,31 have been amended. Claims 8,10-13,21,25-27,35 and 36 have been cancelled. Claims 37-39 have been added. Accordingly claims 1-7,9,14-20,22-24,28-34 and 37-39 are currently pending.

Claim Rejections – 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 9, 16-20, 22-24,33,34, 37-39 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 00/79436 A2 (hereinafter Stibel) (art of record).

As for claim 1 Stibel discloses: an input module accepting a query defining a search executable on potentially retrievable information and parsing the query (See page 3 lines 23-25, also See page 9 lines 17-20); a query broadening module providing a broadened query (See page 8 lines 1-4); wherein an operator provided with at least one broadening search characteristic to request query broadening (See page 4 lines 27-32) and a presentation module presenting at least one of the broadened query and results of a search executed on the broadened query (See page 8 lines 1-9).

As for claim 2 the rejection of claim 1 is incorporated, and further Stibel discloses: wherein providing the broadened query comprises determining a meaning for at least a portion of the query (See page 7 lines 30-32).

As for claim 3, the rejection of claim 2 is incorporated, and further Stibel discloses: wherein providing the broadened query comprises determining a related concept based on the meaning (See page 9 line 31- page 10 line 2).

As for claim 4, the rejection of claim 1 is incorporated, and further Stibel discloses: an evaluation module providing at least one broadened search characteristic to the broadened query (See page 10 lines 10-16).

As for claim 5 the rejection of claim 4 is incorporated, and further Stibel discloses: an evaluation module performing at least one of modifying, replacing, supplementing, removing, or restating the at least one search characteristic (See page 10 lines 13-15 "supplementing/restating").

As for claim 6 the rejection of claim 1 is incorporated, and further Stibel discloses: a selection module selecting at least one broadening search characteristic from a set of words having a synonymous, alternate spelling, common root, or similar semantic meaning (See figures 3,4,5 and page 15 lines 19-24).

As for claim 7 the rejection of claim 1 is incorporated, and further Stibel discloses: a selection module selecting at least one broadening search characteristic from a set of words having a related conceptual meaning (See page 15 lines 5-11).

3. As for claim 9 the rejection of claim 1 is incorporated, and further Stibel discloses: a delimiter provided with the operator to signal ordinary meaning with respect to the operator (See page 21 lines 1-5).

As for claim 16 the rejection of claim 1 is incorporated, and further Stibel discloses: a query engine executing the broadened query (See page 120 lines 13-16).

As for claim 17 the rejection of claim 1 is incorporated, and further Stibel discloses: a graphical user interface interfacing the input module, the query broadening module, and the presentation module (See page 9 lines 17-20).

As for claim 18: Stibel discloses: accepting a query defining a search executable on potentially retrievable information and parsing the query (See page 3 lines 23-25, also See page 9 lines 17-20), wherein the query comprises a plurality of search characteristics: logically grouping at least two of the search characteristics into a compound search characteristic (See page 10 lines 13-16); determining at least one broadening search characteristic that corresponds to the compound search

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characteristics (See page 10 line 14); providing a broadened query(See page 8 lines 1-4) that includes the at least one broadening search characteristic; and presenting at least one of the broadened query or results of a search executed on the broadened query (See page 8 lines 1-9).

Claims 19-20, 22-24,33,34 are method claims corresponding to system claims 1-7, 9, 16,17 respectively and are thus rejected for the reasons set forth in the rejection of claims 1-7,9,16,17.

As for claim 35 the rejection of claim 18 is incorporated, and further Stibel discloses: A computer-readable storage medium holding code for performing the method according to Claim 18 (See page 16 lines 20-23).

Claim 36 is a apparatus claim corresponding to method claim 1, and is thus rejection for the reasons set forth in the rejection of claim 1.

As for claim 37 Stibel discloses: receiving a search query comprising a plurality of search terms from a user (See page 5 lines 4-7), wherein the search query includes a user-selected operator associated with a first one of the search terms of the search query (See page 4 lines 27-32); broadening the first one of the search terms based on the user-selected operator to produce a broadened search query; and executing a search using the broadened search query (See page 4 lines 7-11).

As for claim 38, the rejection of claim 37 is incorporated, and further Stibel discloses: wherein the search query further includes a user-selected delimiter associated with a second one of the search terms that indicates that the second one of the search terms should not be broadened (See page 8 line 18-25).

As for claim 39 Stibel discloses: receiving a search query comprising a plurality of search terms', broadening one of the plurality of search terms (See page 5 lines 4-7); excluding the broadened one of the plurality of search terms from the search query (See page 8 lines 19-21 note: identifier does not have to be provided); executing a search based on the search query to provide search results; and evaluating the search results relative to the excluded search term using categorical or clustered distinctions (See page 26 lines 15-20).

Claim Rejections – 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14-15 rejected under 35 U.S.C. 103(a) as being unpatentable over Stibel as applied to claim 1 above, and further in view of US 6098081 (herein Heidorn).

As for claim 14 the rejection of claim 1 is incorporated, and further Stibel discloses: one search characteristic in the broadened query (See page 10 lines 13-15). Stibel differs from the claimed invention in that wherein the presentation module presents at least one search characteristic in the broadened query as at least one of a static list, a menu of selectable search characteristics, a set of checkboxes, and a list of selectable search characteristics is not explicitly disclosed. Hiedorn however does disclose: wherein the presentation module presents at least one search characteristic in the broadened query as at least one of a static list, a menu of selectable search characteristics, a set of checkboxes, and a list of selectable search characteristics (See column 8 line 65- column 9 lines 6).

As for claim 15 the rejection of claim 1 is incorporated, and further Hiedorn discloses: wherein the presentation module presents an option triggering selection of each such search characteristic in the broadened query (See column 10 lines 27-31).

Claims 28-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stibel as applied to claim 18 above, and further in view of Hiedorn.

As for claim 28 the rejection of claim 18 is incorporated, and further Stibel discloses: one of the search characteristics in the broadened query (See page 10 lines

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13-15). Stibel differs from the claimed invention in that presenting at least one of the search characteristics in the broadened query as a hyperlink, and forming the broadened query comprising the at least one search characteristic responsive to a selection of the hyperlink is not explicitly indicated. Heidorn however does disclose: presenting at least one of the search characteristics in the broadened query as a hyperlink (See column 5 lines 21-24) , forming the broadened query comprising the at least one search characteristic responsive to a selection of the hyperlink (See column 5 lines 26-30). It would have been obvious to an artisan of ordinary skill in the pertinent art at the time the invention was made to have incorporated the teachings of Heidorn into the system of Stibel. The modification would have been obvious since using hyperlinks ensures that the expanded query matches what the user was expecting for a search.

As for claim 29 the rejection of claim 28 is incorporated, and further Stibel discloses: a display module displaying the broadened query (See page 10 lines 24-26) Stibel differs from the claimed invention in that a static list responsive to a highlighting of the hyperlink is not explicitly disclosed. Heidorn however does disclose a static list responsive to a highlighting of the hyperlink (See column 6 lines 6-12).

As for claim 30 the rejection of claim 28 is incorporated, and further Heidorn discloses: presenting an option triggering selection of each such search characteristic in the broadened query as a hyperlink (See column 10 lines 26-30).

Claims 31,32 are method claims corresponding to system claims 14, 15 respectively, and are thus rejected for the same reasons as set forth in the rejection of claims 14,15.

Response to Arguments

5. Applicant's arguments filed 6/19/2006 have been fully considered but they are not persuasive.

Applicant argues:

Stibel does not disclose or suggest " a query broadening module providing a broadened query, wherein an operator is provided with at least one broadening search characteristic of the query to request query broadening" as recited in amended claim 1.

Examiner responds:

Examiner is not persuaded. Stibel allows a user to enter key-phrases and to broaden that search based on an operator, the user would have to provide an operator that signals broaden this search.. Stibel does provide for a user-supplied operator (See page 8 line 20). That user-supplied operator is used to select content based on a plurality of meanings associated with the key phrase (See page 8 lines 15-18).

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Applicant argues:

These claims recite additional features not suggested or disclosed by Stibel. For example claim 9 recites " a delimiter provided with the operator to signal ordinary meaning with respect to the operator.

Examiner responds:

Examiner is not persuaded. Stibel discloses a flag member(See page 16 lines 8-9). The flag member controls how the knowledge base is used (See page 16 lines 9-11). One of the uses for the flag is to restrict the meaning of the key phrase using senses and the flag thus restricts the meaning of the operator as well (See page 16 lines 9-13).

Applicant argues:

Stibel does not disclose of fairly suggest the features of claim 27 which have been incorporated into the amended claim 27. The features are "logically grouping at least two of the search characteristics into a compound search characteristics."
"Providing at least one broadening search characteristic for the compound search characteristic."

Examiner responds:

Examiner is not persuaded. Stibel discloses a search query that is comprised on a plurality of key phrases (See page 9 line 24 note use of the word phrases). All of these words constitute one search term, and if this search term is found within the knowledge base then, a list of meanings is returned and that broadens the search (See page 9 lines 20-27).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leon J. Harper whose telephone number is 571-272-0759. The examiner can normally be reached on 7:30AM - 4:00Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LJH
Leon J. Harper
August 8, 2006



MOHAMMAD ALI
PRIMARY EXAMINER